



In re Taocon, Inc. - Case No. 16-13190 (SMB) [IWOV-CSDOCS.FID1857379]

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06/09/2017 03:31 PM

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Dear Judge Bernstein:

This Firm is counsel to Piano I, LLC ("Piano") in the above-referenced case. We are aware that today the Court entered a final decree discharging the trustee and closing the case; however, the *Motion of Piano I, LLC For Entry of an Order Pursuant to Bankruptcy Rules 2004 (I) Authorizing the Issuance of Subpoenas For the Provision of Testimony to Certain of the Debtor's Principals and (II) Compelling the Production of Documents by the Debtor* [Docket No. 19] (the "2004 Motion") remains open and currently is scheduled to be heard on June 15, 2017 at 10:00 a.m. (ET), after multiple extensions and adjournments at the request of the objecting parties. In that regard, we write to inquire whether the 2004 Motion will be denied as moot or on other applicable grounds in light of the termination of the case, or if Your Honor intends to hear the 2004 Motion as scheduled.

To the extent the Debtor or the Trustee take the position that the Debtor's records germane to the 2004 Motion were abandoned in connection with the *Notice of Abandonment* filed on March 23, 2017 [Docket No. 20] (the "Notice of Abandonment"), Piano submits that any such abandonment was inappropriate in light of the 2004 Motion's pendency. Indeed, Piano specifically did not object to the Notice of Abandonment because the 2004 Motion was filed prior to the Notice of Abandonment, thereby placing the Trustee on additional notice that Piano sought the documents requested therein, which Piano raised at the initial creditors' meeting.

We thank the Court for its consideration. Please feel free to contact the undersigned if any additional information is needed in connection with this application.

Respectfully submitted,

Jacob Frumkin

Cole Schotz P.C.

Jacob S. Frumkin

Associate

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MEMO ENDORSED

*Counsel should appear on the
Scheduled hearing date and make
his arguments at that time.*

*SmB
USBJ
6/12/17*

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